

OFFICE OF THE ALCOHOLIC BEVERAGE CONTROL COMMISSIONER

The Commissioner anticipates that it may go into executive session at this meeting on items listed. The agenda shall be subjected to the discussion of the items including executive sessions which arise at the time of the public body's meeting. Pursuant to 29 Del. C. Section 10004(b), the Commissioner may call for an executive session closed to the public to obtain legal advice with respect to pending or potential litigation, to discuss criminal records of applicants, and to review financial data. No action is taken during the executive session. All action is taken in open session.

May 25, 2017

Agenda

**Sussex County Council Chambers
The Circle
Georgetown, Delaware 19947**

VIOLATIONS

1 PM

**T-Bar Entertainment, LLC
Double L
37298 Rehoboth Ave
Rehoboth Beach, DE 19971**

TAP-ON, S, P

#14854

Violation #08466: On Friday, January 6, 2017 at approximately 5:00PM failed to report a recent arrest to the OABCC Commissioner that occurred on December 30, 2016

**Smitty McGee's, INC.
Smitty McGee's Bar & Restaurant
37234 Lighthouse Road, Route 54
Selbyville, DE 19975**

SPR-ON, S

#11590

Violation #08458: On Saturday, December 3rd, 2016 at approximately 12:50am, sell more than one alcoholic beverage to a person 15 minutes prior to the close of business day.

**251, LLC
Beachside Bar & Grill
251 Rehoboth Ave
Rehoboth Beach, DE 19971**

SPR-ON, S, P

#14623

Violation #08467: On December 23rd, 2015, have numerous persons with financial interests in 251, LLC, without previously submitting full details to the Commissioner as required by rule 39(A)(2).

Violation #08468: On August 26th, 2016 at approximately 4:00PM, make a false statement in regards to a Commissioner's subpoena by responding that the ownership of 251, LLC was 50% David M. Dietz and 50% Jay Caputo.

Violation #08469: On June 29th, 2016, make a false statement to the Commissioner on the liquor license renewal form by omitting additional "officers, directors, and stockholders" and signing the form as "true and accurate".

**Robin Lynn Johnson
One 13 Liquors
12327 DuPont Hwy
Ellendale, DE 19941**

**PCK-OFF, S
#14686**

Violation #08450: On Wednesday September 28th, 2016, renew your liquor license after the July 1st, 2016 due date, in violation of Commissioner Rule 701 Section 3.0. (89 days late)

**Robin Lynn Johnson
One 13 Tavern
12327 DuPont Hwy
Ellendale, DE 19941**

**TAP-ON, S
#14690**

Violation #08451: On Wednesday September 28th, 2016, renew your liquor license after the July 1st, 2016 due date, in violation of Commissioner Rule 701 Section 3.0. (89 days late)

PROTESTED APPLICATIONS
5:00 PM

RBFEF, LLC
Lefty's Alley & Eats
36450 Plaza Blvd.
Lewes, DE 19971

SBA, S
#14886

Licensee has applied for a Patio permit, a variance to OABCC Rule 42.1 to permit external speakers on the patio and the addition of 16 interior bar stools.

6:00 PM

South Side Beach Restaurant, LLC
The Big Chill Beach Club
Seashore State Park South Inlet
27101 Coastal Highway
Bethany Beach, DE 19930

SPR-ON, S, P
#14941

Licensee has applied for a Restaurant, Sunday license and a Patio permit including variances to OABCC Rule 42.1 to permit external speakers, paging system, live entertainment and recorded music, two wet bars and portable bars. The interior restaurant premise will include seated dining for 12 persons. The patio area will include an umbrella bar, an oyster bar, a fire pit area, a corn hole play area, ping pong play area, and an area for catered events and weddings.